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Patent
Attorney's Docket No. 032367-412
MAY 04 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TECH CENTER 1600/2900

In re Patent Application of)
Burton G. Christensen, et al.) Group Art Unit: 1627
Application No.: 09/457,926) Examiner: M. Garcia
Filed: December 8, 1999)
For: NOVEL ANTIBACTERIAL AGENTS)

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed is a Supplemental Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- ☒ [X] No additional fee for submission of an IDS is required.
- ☐ [] The fee of \$180.00 (126) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ [] A certification under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ [] A certification under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (126) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ [] Charge \$_____ to Deposit Account No. 02-4800 for the fee due.
- ☐ [] A check in the amount of \$_____ is enclosed for the fee due.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404
Alexandria, Virginia 22313-1404
(650)622-2300

By: Gerald F. Swiss
Gerald F. Swiss
Registration No. 30,113

Date: May 1, 2001



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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, Applicants hereby submit the following information in conformance with 37 C.F.R. §§ 1.97 and 1.98. Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed.

The following references were cited by the Taiwan Patent Office for a related Taiwanese Patent Application No. 88109469.

1. U.S. Patent No. 5,519,134, issued May 21, 1996, to Acevedo, et al.
2. U.S. Patent No. 5,718,915, issued February 17, 1998, to Virtanen, et al.
3. International Publication No. WO 97/35195, published September 25, 1997.
4. Bianchi, M., et al. "Suppression of Proinflammatory Gytokines in Monocytes by a Tetravalent Guanyhydrozone." *J. Exp. Med.* 183: 927-936 (1996).
5. Cole, B.M., et al. "Discovery of Chiral Catalysts through Ligand Diversity: Ti-Catalyzed Enantioselective Addition of TMSCN to *meso* Epoxides." *Angew. Chem. Int. Ed. Engl.* 35(1): 1668-1671 (1996).
6. Ehrhardt, et al. "Structure Activity Studies of Quinolone-Penems in Genetically Defined Strains of *Escherichia coli*." *Antimicrobial Agents and Chemotherapy.* 41(11): 2570-2572 (1997).

Supplemental Information Disclosure Statement

Application No. 09/457,926

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Page 2

7. Holmes, D.S., et al. "Synthesis and Structure-Activity Relationships of a Series of Penicillin-Derived HIV-Proteinase Inhibitors Containing a Stereochemically Unique Peptide Isostere." *J. Med. Chem.* 36: 3129-3136 (1993).
8. Liang, R., et al. "Parallel Synthesis and Screening of a Solid Phase Carbohydrate Library." *Science.* 274: 1520-1522 (1996).
9. Menger, F.M., et al. "Phosphatase Catalysis Developed via Combinatorial Organic Chemistry." *J. Org. Chem.* 60: 6666-6667 (1995).
10. Velazquez, S., et al. "Synthesis and Anti-HIV Activity of [AZT]-[TSAO-T] and [AZT]-[HEPT] Dimers as Potential Multifunctional Inhibitors of HIV-1 Reverse Transcriptase." *J. Med. Chem.* 38: 1641-1649 (1995).

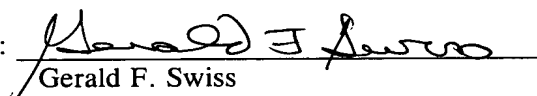
Applicants note that only a Restriction Requirement has been received from the USPTO for this case. Accordingly, this IDS is being filed prior to a first Office Action on the merits, therefore no fee or certification is required under 37 C.F.R. § 1.97(b). In the event that an Office Action is mailed prior to receipt of this paper, the Commissioner is hereby authorized to charge the requisite fees under 37 C.F.R. § 1.97(c) for submission of this paper to Deposit Account No. 02-4800.

By citing the above references, Applicants do not acquiesce or admit that any of these documents are "prior art" under 35 U.S.C. Applicants specifically reserve the right, where appropriate, to antedate any of the cited documents by an appropriate showing under 37 C.F.R. §1.131, §1.604, §1.608 or any other suitable means.

To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: 
Gerald F. Swiss
Registration No. 30,113

P.O. Box 1404
Alexandria, Virginia 22313-1404
(650)622-2300

Date: April 30, 2001